

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DOMINIC MOODY,

Plaintiff,

v.

STEVEN PAUL,

Defendant.

No. 1:23-cv-01541-KES-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION, WITH PREJUDICE, FOR FAILURE  
TO STATE A CLAIM, FAILURE TO  
PROSECUTE, AND FAILURE TO COMPLY  
WITH A COURT ORDER

Doc. 17.

Plaintiff Dominic Moody, proceeding pro se, filed this civil rights action against Defendant under 42 U.S.C. § 1983. Doc. 1. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Plaintiff initiated this action on October 31, 2023. Doc. 1. On August 12, 2024, the assigned magistrate judge issued a screening order instructing Plaintiff, within thirty days, to either file an amended complaint or notify the Court that he wished to stand on his existing complaint. Doc. 16. Plaintiff did not respond to the Court's order or otherwise comply with the deadline. *Id.* On September 27, 2024, the assigned magistrate judge entered findings and recommendations recommending that this action be dismissed, with prejudice, for failure to state a claim, failure to prosecute, and failure to comply with a court order. Doc. 17. The findings and recommendations were served on Plaintiff and contained notice that objections were to be filed within thirty days of service. *Id.* at 8. Plaintiff has not filed any objections, and the time to do so

1 has expired.

2 In accordance with 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of  
3 this case. Having carefully reviewed the file, the Court finds the findings and recommendations  
4 to be supported by the record and proper analysis.

5 Accordingly, it is ORDERED:

- 6 1. The findings and recommendations, issued September 27, 2024, Doc. 17, are  
7 ADOPTED IN FULL;  
8 2. This action is DISMISSED, with prejudice, for failure to state a claim, failure to  
9 prosecute, and failure to comply with a court order.  
10 3. The Clerk of Court shall CLOSE this case.

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12  
13 IT IS SO ORDERED.

14 Dated: November 21, 2024

  
UNITED STATES DISTRICT JUDGE